

Schulte Roth & Zabel LLP  
**Judge Hellerstein**  
919 Third Avenue  
New York, New York 10022  
Telephone: (212) 756-2000  
Facsimile: (212) 593-5955

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
THE RETIREMENT PLAN OF THE UNITE HERE  
NATIONAL RETIREMENT FUND and the Trustees of the  
UNITE HERE National Retirement Fund,

Plaintiffs,

- against -

CLARION BEACHWOOD HOTEL

Defendant.  
-----X

OCT 24 2007

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CLERK'S OFFICE

RULE 7.1 STATEMENT

07 CIV 9509

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Plaintiffs, the Retirement Plan of the UNITE HERE National Retirement Fund (the "Plan") and the Board of the Trustees of the Retirement Plan, certifies that there are no corporate parents, affiliates and/or subsidiaries of said party which are publicly held.

Dated: New York, New York  
October 24, 2007

By: Jaimie Davis  
Jaimie C. Davis

919 Third Avenue  
New York, New York 10022  
(212) 756-2000 (telephone)  
(212) 593-5955 (facsimile)

Attorneys for Plaintiffs